



**Agenda Item Number: 2005-6-7B**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

---

**Meeting Date:** June 28, 2005

**Department:** Zoning, Building, Planning & **Staff Contact:** Sanford Fish, Director  
Environmental Health Julie Baca, Deputy County Manager for  
Community Services

**TITLE:** Text Amendments to the Bernalillo County Code, Chapter 74, Subdivisions

**ACTION:** Convene a Public Hearing.

Motion to adopt **Ordinance 2005 -** Bernalillo County Code, Chapter 74  
Subdivisions.

### **SUMMARY:**

On May 24, 2005 the Board approved Introduction and Publication of proposed amendments to the County Subdivision Ordinance. The proposed amendments to the Subdivision Ordinance address three main areas:

- Establishes a process for expediting subdivision review through delegation of preliminary plat approval to the County Planning Commission and final plat approval to the County Development Review Authority. Any determination by these bodies would be subject to appeal. This streamlined procedure reduces the time needed to approve major subdivisions (those creating six or more lots) based on recent amendments to State statute regarding county subdivisions.
- Incorporates new language for consistency with the county's requirements for wastewater systems (Bernalillo County Code Chapter 42, Division 10).
- Updates the ordinance with provisions that were incorporated into the Extraterritorial Subdivision Ordinance, which was in effect from May 2001 through June 2003. This ordinance established a number of procedures that improved the subdivision review process and would be beneficial in the current county code.

Since publication of the proposed amendments, planning staff has received comments from interested parties and other departments recommending several additional changes to the text. These are included in attachment 2. Staff recommends adopting the majority of these final revisions as noted in the attachment.

### **ATTACHMENT:**

1. Ordinance **2005-** Proposed revisions to published version of ordinance amendments

### **FISCAL IMPACT**

None

# **STAFF ANALYSIS SUMMARY**

## **COUNTY MANAGER**

The proposed amendments to the Subdivision Ordinance will not only comply with the new state law but also clean up areas of the ordinance as recommended by staff. I recommend Board approval. TL 6/21/05

## **DEPUTY COUNTY MANAGER FOR COMMUNITY SERVICES**

These amendments would allow the preliminary and final plat approval process to be expedited quickly and efficiently. It would also mirror the City's process, which would provide consistency; any appeals would go before the BCC. Recommend Board approval. Julie Baca 5/18/05

## **DEPUTY COUNTY MANAGER FOR PUBLIC WORKS**

The procedural changes for both major and minor subdivisions that accommodate the forthcoming State statute revisions will allow for a much smoother and quicker processing of subdivisions in the unincorporated portion of Bernalillo County. The specific changes that affect Public Works actions will be handled through our development review staff. Minor comments on this draft will be forwarded directly to the Zoning, Planning, Building, and Environmental Health Department. TW 05/13/05

## **LEGAL**

These amendments were made necessary by the passage of certain amendments to the New Mexico Subdivision Act and work to facilitate the comprehensive, orderly review of subdivision applications. PFT 5/13/05

## **ELECTED OFFICIAL/OTHERS**

### **Fire Marshall**

The Fire Marshal is a representative on the County Development Review Authority (CDRA). All Fire Code and Life Safety Requirements such as water systems for fire protection, access and egress and addressing will be reviewed and recommended during the pre-application process. Nothing in the proposed changes prohibits the Fire Marshal's authority to ensure the subdivisions meet fire codes. The changes will encourage a more timely and consistent review process. EJC 5/17/05